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RESPONSE UNDER 37 CFR 1.116 EXPEDITED PROCEDURE EXAMINING GROUP 1771

> PATENT APPLICATION Do. No. 2295-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Randall Eric Swanson and Jerry Brower

Serial No.

10/728,647

Examiner:

Zirker, Daniel R.

Confirmation No.:

8426

Filed:

December 5, 2006

Group Art Unit:

1771

For:

WALL PATCH

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Responsive to the Final Office Action dated August 11, 2006, enclosed is an amendment in the above-identified application.

The fee has been calculated as shown below.

	CLAIM	IS AS AME	NDED		
For:	Number After Amendment	Previous Number	Extra	Rate	Additional Fee
Total Claims	11	17	0	x \$ 25 =	\$0
Independent Claims	1	1	0	x \$100 =	\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT		<u> </u>	_!		\$0

A copy of Concurrently Submitted Documents to Correct Inventorship

Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

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I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via facsimile number 571-273-8300 on October 6, 2006.

Signature

Deanna Brusco

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Serial No.

10/728,647

Examiner:

Zirker, Daniel R.

Confirmation No.

8426

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Filed:

December 5, 2003

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For:

WALL PATCH

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October 6, 2006

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RESPONSE TO FINAL REJECTION UNDER 37 CFR 1.116

Responsive to the Final Office Action dated August 11, 2006, Applicant submits the enclosed Remarks.

The pending Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via facsimile number 571-273-8300 on October 6, 2006.

Deanna Brusco